

REMARKS

Applicant respectfully requests entry of the following amendments and remarks in response to the Office Action mailed May 1, 2008. Applicant respectfully submits that the amendments and remarks contained herein place the instant application in condition for allowance.

Upon entry of the amendments in this response, claims 21, 22, 24, 26 – 29, 31, 33 – 37, and 39 – 46 are pending. In particular, Applicant adds claim 46, amends claims 21, 28, 35, and 44, and cancels claim 43 without prejudice, waiver, or disclaimer. Applicant cancels claim 43 merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicant reserves the right to pursue the subject matter of these canceled claims in a continuing application, if Applicant so chooses, and does not intend to dedicate the canceled subject matter to the public. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

I. Examiner Interview

Applicant first wishes to express sincere appreciation for the time that Examiner Garg spent with Applicant's Attorney, Anthony Bonner, during a telephone discussion on July 22, 2008 regarding the outstanding Office Action. During that conversation, Examiner Garg and Mr. Bonner discussed potential arguments and amendments with regard to claim 21, in view of *Minte* and *Speicher*. The general thrust of the potential principal arguments included a discussion of at least one embodiment of the present application disclosing comparing data to provide the user with a limited set of media outlets to determine a source of the advertisement. Thus, Applicant respectfully requests that Examiner Garg carefully consider this response and the amendments.

II. Rejections Under 35 U.S.C. §103

A. Claim 21 is Allowable Over *Minte* in view of *Speicher*

The Office Action indicates that claim 21 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Publication Number 2002/0046118 ("*Minte*") in view of U.S. Patent Number 6,697,786 ("*Speicher*"). Applicant respectfully traverses this rejection for at least the reason that *Minte* in view of *Speicher* fails to disclose, teach, or suggest all of the elements of claim 21. More specifically, claim 21 recites:

A system for communicating information about an advertisement, comprising:

logic in an advertisement content server configured to receive advertisement information associated with a plurality of advertisers;

logic in an advertisement content server configured to store the information as records within defined fields;

logic in an advertisement content server configured to provide, to a user, a search window that includes a plurality of search fields, the plurality of search fields configured to receive user-defined search criteria, the plurality of search fields including a first search field configured to facilitate a search of a predetermined first criteria, the first criteria being about the advertisement, the plurality of search fields including a second search field configured to facilitate a search of a predetermined second criteria, the second criteria being about the user, the plurality of search fields including a key field configured to facilitate a search across the first search field and the second search field;

logic in an advertisement content server configured to receive a search request from the user, the search request including at least one first term associated with the first criteria and at least one second term associated with the second criteria;

logic in an advertisement content server configured to perform a search function according to the at least one search term; and

logic in an advertisement content server configured to compare the at least one first term with the at least one second term to provide the user with a limited set of media outlets to determine a source of the advertisement, and

logic in an advertisement content server configured to transmit to the user at least a portion of information resulting from the search function.

(Emphasis added).

Applicant respectfully submits claim 21, as amended is allowable for at least the reason that neither *Minte* nor *Speicher*, taken alone or in combination, discloses, teaches, or suggests a “system for communicating information about an advertisement, comprising... ***logic in an advertisement content server configured to compare the at least one first term with the at least one second term to provide the user with a limited set of media outlets to determine a source of the advertisement***” as recited in claim 21, as amended. More specifically, *Minte* discloses “consumers may use an Internet search engine to find access to the Web Mall-site” (page 4, paragraph [0033]). However, *Minte* fails to even suggest a comparison of the second criteria with received data to provide a limited set of media outlets to determine a source of the advertisement.

Further, *Speicher* fails to overcome the deficiencies of *Minte*. More specifically, *Speicher* discloses “the integration of an audiotex system and a web server... to allow[] individuals to place a personal advertisement in the form of a digital audio recording that can be listened to and responded to by other individuals calling the audiotex system” (column 4, line 17). However, *Speicher* fails to even suggest “***logic in an advertisement content server configured to compare the at least one first term with the at least one second term to provide the user with a limited set of media outlets to determine a source of the advertisement***” as recited in claim 21, as amended. For at least these reasons, claim 21, as amended, is allowable.

B. Claim 28 is Allowable Over *Minte* in view of *Speicher*

The Office Action indicates that claim 28 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Publication Number 2002/0046118 (“*Minte*”) in view of U.S. Patent Number 6,697,786 (“*Speicher*”). Applicant respectfully traverses this

rejection for at least the reason that *Minte* in view of *Speicher* fails to disclose, teach, or suggest all of the elements of claim 28. More specifically, claim 28 recites:

A method for communicating information about an advertisement, comprising:
receiving, by a computing device, advertisement information associated with a plurality of advertisers;
storing, by a computing device, the information as records within defined fields;
providing, by a computing device, to a user, a search window that includes a plurality of search fields, the plurality of search fields configured to receive user-defined search criteria, the plurality of search fields including a first search field configured to facilitate a search of a predetermined first criteria, the first criteria being about the advertisement, the plurality of search fields including a second search field configured to facilitate a search of a predetermined second criteria, the second criteria being about the user, the plurality of search fields including a key field configured to facilitate a search across the first search field and the second search field;
receiving, by a computing device, a search request from the user, the search request including at least one first term associated with the first criteria and at least one second term associated with the second criteria;
performing a search function, by a computing device, according to the at least one search term;
comparing, by a computing device, the at least one first term with the at least one second term to provide the user with a limited set of media outlets to determine a source of the advertisement; and
transmitting, by the computing device, at least a portion of information resulting from the search function to the user.

(Emphasis added).

Applicant respectfully submits claim 28, as amended, is allowable over the cited art for at least the reason that neither *Minte* nor *Speicher*, taken alone or in combination, discloses, teaches, or suggests a “method for communicating information about an advertisement, comprising... ***comparing, by a computing device, the at least one first term with the at least one second term to provide the user with a limited set of media outlets to determine a source of the advertisement***” as recited in claim 28, as amended. More specifically, *Minte* discloses “consumers may use an Internet search engine to find access to the Web Mall-site” (page 4, paragraph [0033]). However, *Minte* fails to even suggest a

comparison of the second criteria with received data to provide a limited set of media outlets to determine a source of the advertisement.

Further, *Speicher* fails to overcome the deficiencies of *Minte*. More specifically, *Speicher* discloses “the integration of an audiotex system and a web server... to allow[] individuals to place a personal advertisement in the form of a digital audio recording that can be listened to and responded to by other individuals calling the audiotex system” (column 4, line 17). However, *Speicher* fails to even suggest “**comparing, by a computing device, the at least one first term with the at least one second term to provide the user with a limited set of media outlets to determine a source of the advertisement**” as recited in claim 28, as amended. For at least these reasons, claim 28, as amended, is allowable.

C. Claim 35 is Allowable Over *Minte* in view of *Speicher*

The Office Action indicates that claim 35 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Publication Number 2002/0046118 (“*Minte*”) in view of U.S. Patent Number 6,697,786 (“*Speicher*”). Applicant respectfully traverses this rejection for at least the reason that *Minte* in view of *Speicher* fails to disclose, teach, or suggest all of the elements of claim 35. More specifically, claim 35 recites:

A computer readable medium for communicating information about an advertisement, comprising:

logic at a computing device configured to instruct a programmable device to receive advertisement information associated with a plurality of advertisers;

logic executable by a computing device configured to instruct a programmable device to store the information as records within defined fields;

logic executable by a computing device configured to instruct a programmable device to provide, to a user, a search window that includes a plurality of search fields, the plurality of search fields configured to receive user-defined search criteria, the plurality of search fields including a first search field configured to facilitate a search of a predetermined first criteria, the first criteria being about the advertisement, the plurality of search fields including a second search field configured to

facilitate a search of a predetermined second criteria, the second criteria being criteria about the user, the plurality of search fields including a key field configured to facilitate a search across the first search field and the second search field;

logic executable by a computing device configured to instruct a programmable device to receive a search request, the search request including at least one first term associated with the first criteria and at least one second term associated with the second criteria;

logic executable by a computing device configured to instruct a programmable device to perform a search function according to the received terms; and

logic executable by a computing device configured to instruct a programmable device to compare, the at least one first term with the at least one second term to provide the user with a limited set of media outlets to determine a source of the advertisement; and

logic executable by a computing device configured to instruct a programmable device to transmit to the user at least a portion of information resulting from the search function.

(Emphasis added).

Applicant respectfully submits claim 35, as amended, is allowable over the cited art for at least the reason that neither *Minte* nor *Speicher*, taken alone or in combination, discloses, teaches, or suggests a “computer readable medium for communicating information about an advertisement, comprising... **logic executable by a computing device configured to instruct a programmable device to compare, the at least one first term with the at least one second term to provide the user with a limited set of media outlets to determine a source of the advertisement**” as recited in claim 35, as amended. More specifically, *Minte* discloses “consumers may use an Internet search engine to find access to the Web Mall-site” (page 4, paragraph [0033]). However, *Minte* fails to even suggest a comparison of the second criteria with received data to provide a limited set of media outlets to determine a source of the advertisement.

Further, *Speicher* fails to overcome the deficiencies of *Minte*. More specifically, *Speicher* discloses “the integration of an audiotex system and a web server... to allow[] individuals to place a personal advertisement in the form of a digital audio recording that can be

listened to and responded to by other individuals calling the audiotex system” (column 4, line 17). However, *Speicher* fails to even suggest “***logic executable by a computing device configured to instruct a programmable device to compare, the at least one first term with the at least one second term to provide the user with a limited set of media outlets to determine a source of the advertisement***” as recited in claim 35, as amended. For at least these reasons, claim 35, as amended, is allowable.

D. Claims 22, 24, 27, 29, 31, 34, 36 – 37, and 40 – 45 are Allowable Over *Minte* in view of *Speicher*

The Office Action indicates that claims 22, 24, 27, 29, 31, 34, 36 – 37, and 40 – 45 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Publication Number 2002/0046118 (“*Minte*”) in view of U.S. Patent Number 6,697,786 (“*Speicher*”). Applicant respectfully traverses this rejection for at least the reason that *Minte* in view of *Speicher* fails to disclose, teach, or suggest all of the elements of claims 22, 24, 27, 29, 31, 34, 36 – 37, and 40 – 45. More specifically, dependent claims 22, 24, 27, 41, and 42 are believed to be allowable for at least the reason that these claims depend from and include the elements of allowable independent claim 21. Dependent claims 29, 31, 34, and 44 are believed to be allowable for at least the reason that they depend from and include the elements of allowable independent claim 28. Further, dependent claims 36, 37, 40, and 45 are believed to be allowable for at least the reason that they depend from and include the elements of allowable independent claim 35. *In re Fine, Minnesota Mining and Mfg. Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

E. Claims 26, 33, and 39 are Allowable Over *Minte* in view of *Speicher* and further in view of *Stein*

The Office Action indicates that claims 26, 33, and 39 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Publication Number 2002/0046118 ("*Minte*") in view of U.S. Patent Number 6,697,786 ("*Speicher*") and further in view of U.S. Patent Number 5,826,241 ("*Stein*"). Applicant respectfully traverses this rejection for at least the reason that *Minte* in view of *Speicher* and further in view of *Stein* fails to disclose, teach, or suggest all of the elements of claims 26, 33, and 39. More specifically, dependent claim 26 is believed to be allowable for at least the reason that this claim depends from and includes the elements of allowable independent claim 21. Dependent claim 33 is believed to be allowable for at least the reason that this claim depends from and includes the elements of allowable independent claim 28. Further, dependent claim 39 is believed to be allowable for at least the reason that this claim depends from and includes the elements of allowable independent claim 35. Because *Stein* fails to overcome the deficiencies of *Minte* and *Speicher*, claims 22, 24, 27, 29, 31, 34, 36 – 37, and 40 – 45 are allowable as a matter of law. *In re Fine, Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

III. New Claim 46

In addition, Applicant adds new claim 46. New claim 46 is allowable for at least the reason that this claim depends from allowable independent claim 1. *In re Fine, Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, all objections and/or rejections have been traversed, rendered moot, and/or addressed, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and Official Notice, or statements interpreted similarly, should not be considered well-known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions. Additionally, any repeated arguments of inherency, well-known subject matter, Official Notice, or similarly interpreted statements are traversed for at least the reasons previously presented.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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